

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

## ORDER

The Text Recommendation of the United States Magistrate Judge was filed with the court in accordance with 28 U.S.C. § 636(b) and, on February 18, 2021, was served on the parties in this action. (Doc. 122.) Plaintiff timely filed a response entitled "Response in Opposition to Recommendation; in the Interest of Humaneness" which the court construes as an objection to the Text Recommendation.<sup>1</sup> (Doc. 127.)

The court has reviewed the Magistrate Judge's Recommendation and Plaintiff's objection. Plaintiff's objection is conclusory and fails to meet the standard to invoke this court's de novo review. See Fed. R. Civ. Pro. 72(b) (requiring objecting party

<sup>1</sup> The Magistrate Judge's Text Recommendation stated that objections were due March 3, 2021. However, the notice served on the parties stated that any objections must be filed and served by March 4 for parties who received the notice via CM/ECF and by March 8 for parties who received the notice via postal mail. (Doc. 122.) Because Plaintiff falls in the latter category and because his response was docketed March 5, his objection is deemed timely.

to file "specific written objections" and requiring de novo review of only those parts of the recommendation that "ha[ve] been properly objected to"); Slate v. Byrd, No. 1:09CV852, 2013 WL 2474336, at \*1 (M.D.N.C. June 10, 2013) ("An objecting party is required to identify specifically those findings objected to and to support such objection with the basis for it.") (citing Suntrust Mortg., Inc. v. Busby, 651 F. Supp. 2d 472, 476 (W.D.N.C. 2009)). Plaintiff does not make any specific objections to the Recommendation and merely reiterates his desire for a hearing "in the interest of humaneness." (Doc. 127.) The objections fail under a plain error review.

Even were the court to conduct a de novo determination, it would be in accord with the Magistrate Judge's report. The court therefore adopts the Magistrate Judge's Recommendation.

IT IS THEREFORE ORDERED that the Motion for Additional Sanctions for Failure to Make Adequate Initial Disclosures ("the Motion") (Doc. 106) is GRANTED IN PART AND DENIED IN PART as set out in the Recommendation, and the Orders of the Magistrate Judge are ADOPTED.

/s/ Thomas D. Schroeder  
United States District Judge

April 2, 2021